Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- [ ] Coloured covers/ Couverture de couleur
- [ ] Covers damaged/ Couverture endommagée
- [ ] Covers restored and/or laminated/ Couverture restaurée et/ou pelliculée
- [ ] Cover title missing/ Le titre de couverture manque
- [ ] Coloured maps/ Cartes géographiques en couleur
- [ ] Coloured ink (i.e. other than blue or black)/ Encre de couleur (i.e. autre que bleue ou noire)
- [ ] Coloured plates and/or illustrations/ Planches et/ou illustrations en couleur
- [ ] Bound with other material/ Relié avec d'autres documents
- [ ] Tight binding may cause shadows or distortion along interior margin/ La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure
- [ ] Blank leaves added during restoration may appear within the text. Whenever possible, these have been omitted from filming/ Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- [ ] Additional comments:/ Commentaires supplémentaires:

- [ ] Coloured pages/ Pages de couleur
- [ ] Pages damaged/ Pages endommagées
- [ ] Pages restored and/or laminated/ Pages restaurées et/ou pelliculées
- [x] Pages discoloured, stained or foxed/ Pages décolorées, tachetées ou piquées
- [x] Pages detached/ Pages détachées
- [x] Showthrough/ Transparence
- [ ] Quality of print varies/ Qualité inégale de l'impression
- [ ] Includes supplementary material/ Comprend du matériel supplémentaire
- [ ] Only edition available/ Seule édition disponible
- [ ] Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image/ Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X 14X 18X 22X 26X 30X

✓

12X 16X 20X 24X 28X 32X

15

FCM

REMARKS

UPON THE

PRESENT CRISIS

IN THE

DIOCESE OF MONTREAL,

RELATIVE TO THE

ELECTION OF A SUCCESSOR

TO THE

Late Bishop and Metropolitan.

BY M. H. SANBORN,

ONE OF THE LAY DELEGATES TO THE DIOCESAN SYNOD.

WITH AN APPENDIX.

MONTREAL:

PRINTED BY THE MONTREAL PRINTING AND PUBLISHING COMPANY.

1869.

To the Members of the Church of England in the Diocese of Montreal:

Your attention is earnestly called to the following :—

Our late revered Bishop and Metropolitan being, in the good Providence of God, taken from us, in due time the Synod of the Diocese was convened to elect his successor.

No one, out of the nominations made by the House of Bishops at that time, received a sufficient number of votes of both orders for an election.

The House of Bishops "being unable to agree upon any further names without delay and inquiry," decided to adjourn, and to continue further nominations in May next.

A Committee of the Synod was thereupon appointed "to consider the present state of the affairs of the Synod and to report the next day at ten o'clock." This Committee, accordingly, brought in a Report, which is given at length in the appendix hereto.

It will be seen, upon examination of this Report, that the Committee, after rehearsing the proceedings which had taken place, proceed to comment upon the names laid before the Synod, and to urge certain reasons which, it must be presumed they thought, justified the majority of lay delegates in refusing to accept them,—for it must be borne in mind that, upon two different occasions, there was a sufficient majority of the clerical vote to elect.

The Committee also, in a very questionable manner, animadvert upon the conduct of the House of Bishops, in making the

nominations they sent down, and assume to call them to account, as it were, for not including certain persons who, it may also be presumed, would have been acceptable to some, at least, of the Committee and those who acted with them among the members of Synod.

They also, by a peculiar process of elimination, proceed to establish that the only choice left to the Synod, was that of the Bishop of Ontario, and this, in the face of the majorities given by the clergy in favour of two other nominees, shewing that the sole object of the Report was to find some excuse for the conduct of the lay majority.

After deploring that there was thus left " almost no measure of selection," and that the Diocese and Ecclesiastical Province of Canada should be left without a head by the adjournment till May, they proceed to pronounce their opinion in strong terms, that the House of Bishops had " virtually abdicated their functions".

It is then stated, as a grievance chargeable to the House of Bishops solely, that the property of the Church which is vested in the Bishop as a corporation sole, is left entirely without a protector.

Having thus, as they thought, made out a sufficient case, they then proceed to a recommendation, which deserves careful consideration,—nothing less, in fact, than this, that the legislature should be called upon to interfere, and setting aside or ignoring altogether the distinctive principles which, as churchmen, we have hitherto professed, should confer upon a Presbyter the rights and privileges belonging to the Bishop alone.

The question of the adoption by the Synod of this Report coming up, a motion in amendment was made, that the Report be considered, paragraph by paragraph, and rejected or adopted.

It was thereupon explained by one of the Committee, that it was contrary to parliamentary usage thus to treat a Report of a Committee; that it should either be adopted as it stood, or be

sent back to the Committee to be amended by them, by either adding or omitting, as they might be directed; and the amendment was negatived.

It being then the fourth day the Synod had been in session, and every one more or less anxious to get away, and it being also apparent that a large majority were then willing to accept the Report as it had been brought in by the Committee, it was adopted without any division, and the Synod immediately adjourned.

A notice subsequently appeared in the *Canada Gazette* that the Synod of the Diocese of Montreal would petition the Legislature of the Province of Quebec, at its ensuing session, "to "vest the Senior Dignitary of the Church next in rank to the "Bishop in the said Diocese, with all the powers conferred on "the Bishop by the Constitution, By-laws, Rules and Regula "tions of the said Synod, and by the various Statutes presently "in force in this Province, affecting the Temporalities of the "Church in the said Diocese, until a Bishop for the said Diocese "shall have been duly elected and consecrated."

This notice is not authenticated by any signature, and, what is especially noteworthy, was never authorized by any specific resolution of the Synod. And according to all parliamentary usage, the adoption of a Report of a Committee neither authorizes nor binds the Synod to take any specific action, as a consequence of such Report.

But it is time now to pass under review the facts as they are brought out by what has preceded.

When the See became vacant, the members of the Church in the Diocese, as it was quite natural for them to do, began to revolve in their minds the subject of the election of a successor to our lamented Bishop, and they, of course, conferred more or less with their neighbours and friends respecting it. Individual preferences for this one or that one were expressed, and it became apparent that these preferences centred to some extent

upon two or three persons. But those members of the Church who thus allowed themselves to fix their minds upon distinct individuals, seem to have either forgotten, or wilfully passed over, the arrangement solemnly made with the other Dioceses in this Ecclesiastical Province, who are also interested in this election, inasmuch as our Bishop is also Metropolitan. They could not properly thus fix, beforehand, upon a particular individual, and decide that they would reject all others, as that would be in direct violation of the compact so entered into with the other Dioceses, and would practically deny to them, as represented by the Bishops, any voice in the matter.

It turned out, in fact, that their Lordships did not put, in their list of nominees, the names of these favourite candidates, and then, what do these disappointed ones do? They resolve, at once, with stubborn self-will, to persist in rejecting every nomination, until they would force their Lordships, as a last resource, to nominate their favourites, and hence arose all the difficulty.

Was this the conduct befitting consistent followers of Christ? or was it not rather the factious party spirit of the political arena, which sacrifices every thing to gain a party triumph? Is not the special pleading resorted to in this Report of Committee, by which it is attempted to excuse altogether this factious majority of the lay members,—for that is what is really meant,—and to throw all blame upon the House of Bishops,—in fact, the strongest proof that can be brought against them, in support of the charge that they were acting as mere partizans, and not as sober, Christian men, anxious to do everything in their power, even to the renunciation of their private personal preferences if necessary, rather than that the interests of the Church at large throughout the Province should suffer? But having taken this stand, and it not being likely that the House of Bishops would give up their own views in order to adopt the expressed wishes of partizans, it became necessary to look for some mode of extricating themselves from the dilemma, other than that of

submission to lawful authority. And so the Committee recommend that "steps be taken to secure such legislation" as would make of the Senior Dignitary of the Church next in rank to the Bishop, to wit: the Dean of Montreal, a Bishop *de facto*,—expecting no doubt that it would be possible to do anything if once this legislative authority were obtained.

A Petition, purporting to be by the Synod, has in fact been presented, although never authorized by it, as before stated.

But suppose this legislation to be obtained, and that we have ignored all our principles as churchmen so far as to allow a Presbyter to be made Bishop *de facto*, in what position should we then find ourselves? It is not likely we should rest satisfied with that state of things, unless we are prepared to avow ourselves Presbyterians outright, and, with our newly appointed Moderator at our head, seek for admission into the General Assembly. We should wish to go on and secure a Bishop *de jure* no doubt, and our Senior Dignitary, in the plenitude of his newly bestowed power, would call together the Synod of the Diocese, composed of himself as *acting* Bishop, and the Clergy and Laity, and would submit a proposition, all cut and dried, supported by most plausible reasons, that we should repudiate the existing arrangement, abandon the Metropolitancy, and then elect our Bishop in our own way quite untrammelled.

Are we prepared to go this length? Have we at any time, or in any way, discussed the subject, in our representative body, the Synod, and in full view of all the issues and consequences involved, deliberately resolved that we would apply for such legislation? Can we, indeed, under the existing state of things, lawfully entertain any such proposition? Must not the organization of our Synod be completed by the election and consecration of a Bishop before we can lawfully, or prudently even, discuss any such question? Will not the Provincial Synod, if we go to them with our resolution, passed in such an unprecedented manner, be likely to say to us, "We cannot recognize your act

as that of the Synod of the Diocese of Montreal lawfully constituted. You must have a Bishop duly consecrated to complete your organization before we can recognize your action ?" And if so, what next ? Shall we, at last, submit with as good grace as we can, after so much obstinacy ? or shall we, following the example so often seen among the sects, resolve that we will sever ourselves completely from the other Dioceses, and declare ourselves Independents ?

It is manifest that, unless the position taken by the lay majority at the Special Synod be abandoned, nothing but evil can result. The first step is being taken, in applying to Parliament, as recommended by the Report of Committee. It is to be hoped, however, that Parliament, if not careful whether it be a wise step on our part or not, will, at any rate, insist that the application come before it in a regular manner, and if so, then the legislation must be postponed, as the Synod has never authorized any such application, and it would be monstrous to entertain a petition of individual members on such a question.

The lay members of the Church in the Diocese will have to elect new delegates to Synod before it meets again in May. Let these new men come up, free from all pledges to individuals, and with a desire to act in concert with the clergy, as far as possible, and determined, above all, to exercise their own unbiassed and unprejudiced judgment, and all will be well.

M. H. SANBORN,

Lay Delegate of the Synod of the Diocese of Montreal.

MONTREAL, January, 1869.

APPENDIX A.

REPORT OF THE COMMITTEE.

The Committee appointed by the order of reference of this date to consider the state of the Synod, has the honour to report :

That the Synod of this Diocese assembled on the 10th of November, instant, for the purpose of choosing a Bishop and Metropolitan.

That by the terms of the canon regulating the election, it is the duty of the House of Bishops to send down to the Synod two or more names from which the Synod is to select one for Bishop and Metropolitan ; and in case a selection should not be made from those names, the House of Bishops should again send down other names, until a choice should be made.

That the House of Bishops, in terms of the canon, sent down on the same day the names of the Bishops of Nova Scotia, of Fredericton, of Huron, of Toronto, of Ontario and of Quebec, accompanied by a declaration of their determination, viz. : "That the interests of the Church required that the person to be elected to the Metropolitical See of Montreal should be of the Episcopal order."

That your Synod did not choose any one of the names so sent down to it ; but intimated to the House of Bishops that the declaration of any determination or of any opinion of theirs accompanying any names submitted was not in accordance with law.

That the House of Bishops, on the 11th inst., sent down the names of the Bishops of Newfoundland, of Grahamstown and of British Columbia, and the Synod having voted thereupon a choice again failed.

That the House of Bishops thereafter transmitted a message to your Synod declaring that they were not prepared to submit, without delay and inquiry, further names than those already sent down, and that they would adjourn in one hour and renew their nominations in the month of May next.

That a conference having been requested by your Synod, the House of Bishops consented thereto, and the report of the result was made to your Synod to the effect that the nominations would be resumed by the House of Bishops this day.

That accordingly, to-day, the House of Bishops sent down a message containing the names of the Bishops of Newfoundland, of British

Columbia, of Huron, of Ontario, of Quebec and of Toronto, with the understanding that if a Bishop of the Province should be chosen by your Synod, he should hold the office only until a canon should be passed, leaving the election of Metropolitan in the hands of the House of Bishops, and placing the election of a Bishop of Montreal without restriction in your Synod; but your Synod resolved that it could not receive a message containing the names of persons for election, if coupled with conditions and extraneous matters not authorized by the canon.

That soon after the House of Bishops sent down to your Synod a message respecting the names of the Bishops of Newfoundland, of British Columbia, of Huron, of Ontario and of Toronto, which, having been rejected before by your Synod, were rejected again.

That the House of Bishops then sent down to your Synod another message containing the names of the Bishop of Columbia, of the Coadjutor Bishop of Newfoundland, and of the Dean of Norwich for election: none of which received the number of votes in your Synod necessary to a choice.

That thereafter the House of Bishops transmitted a message to your Synod, informing it that they were not prepared to submit any further names to your Synod without inquiry and delay, and that they would adjourn until the month of May next.

That your Committee have to point out to your Synod that, among the above names so laid before it by the House of Bishops, one is that of the Dean of Norwich, a dignitary of the Church residing in England, concerning whom your Synod had no information that he would resign a large income and sacrifice all the social and other advantages to which he was accustomed, in order to assume the charge of this Diocese with its labours and inconveniences, even if the state of his health otherwise permitted; that another name in the list is that of the Bishop of Grahamstown, a See on the coast of the south-east of Africa, of whom almost none of the delegates in your Synod had ever heard; that another name is that of a Bishop in British Columbia on the Pacific shore of North America, and almost totally unknown even by name or reputation to the delegates; that the list embraces also the names of the Bishops on the Atlantic coast of British North America, with those of the Bishop and of the Coadjutor Bishop of Newfoundland, of whose existence the members of your Synod are no doubt cognizant, but with whose history or persons they are entirely unacquainted, and concerning not any one of whom had they the smallest information or assurance that they would forsake Sees in which they had laboured for years to undertake the duties of that of Montreal.

The Synod will remark that with respect to British North America

the name of every Bishop holding a See therein was submitted to your Synod, with the simple exception of one, although all, in a measure, unknown to your members, and whose acceptance or rejection of the office was an uncertainty which could not be resolved until, with respect to some of them, after a considerable lapse of time.

Your Synod will also remark that the omission of the name of the Bishop of Rupert's Land, the exception referred to, was the more pointed, because he was the only Bishop whom the members of the Synod have had any opportunity of knowing.

That your Synod wlll also remark that the House of Bishops refrained from submitting to you the names of any of the Archdeacons in this Ecclesiastical Province, or of any of the numerous Deans, Canons or Presbyters therein, although your Committee do not hesitate to say that there are to be found among them clergymen whose zeal, talents and industry, in the performance of their sacred duties, are familiar to you, and who, from their acquaintance with the country, you would have felt confident would have laboured to promote the interests of God's Church in your Diocese and the glory of His name

That your Committee cannot avoid noticing that the only names submitted for your choice by the House of Bishops which in reality you knew, were those of themselves ; and that the Bishops of Huron and Toronto, two of the four composing that venerable House, are men so far advanced in life, that your Synod could not suppose them long to possess the bodily vigour and activity requisite for the fatigue necessarily attending the performance of the duties of so extensive a Diocese as that of Montreal, especially when burdened with the additional duties of Metropolitan of the whole Province, to be still further increased, should his ecclesiastical jurisdiction be extended to the other portions of the Dominion.

That your Synod consequently felt that the only choice really left to you on grounds which you could enter into and intelligibly understand, was restricted in reality to the Bishops of Quebec and Ontario; and your Synod also felt that, by selecting either the one or the other of those venerable dignitaries, you would only be filling one vacancy to create another, and your Synod will also bear in mind that the Bishop of Quebec, having officially intimated to you to-day that he would not accept the office, the real choice then left to you was reduced to one, the Bishop of Ontario, in your own Province.

Your Committee, therefore, have much to deplore that you had almost no measure of selection in determining your choice ; but your Committee deplore still more that the House of Bishops should have left the Church in this Diocese, and in the Ecclesiastical Province of Canada, without a head, by adjourning until the month of May.

Your Committee is distinctly of opinion that the canon gives to the House of Bishops no power to adjourn as they have done, but are by it compelled to continue nominations until they should give you the name of a clergyman who, in your consciences and before God, you considered it would be your duty to set over the Church in this Diocese. The House of Bishops, by their adjournment, have, consequently, so far departed from the true spirit and intention of the canon for the election of a Bishop and Metropolitan, as to have virtually abdicated the functions it was their bounden duty to exercise.

That they have, by so doing, left also the property of the Church, which is vested in the Bishop as a corporation sole, entirely without a protector.

That your Committee have therefore to recommend that steps should be taken during next session of the legislature, to secure such legislation as will vest the senior dignitary of the Church next in rank to Bishop, until a Bishop for this Diocese be duly elected and consecrated with all the powers conferred upon the Bishop by the constitution and the various statutes affecting the temporalities of the Church.

That your Committee finally recommend that the present powers of the Synod should not be suffered to lapse, and to that end that it should adjourn until some convenient day in the month of May next.

All which is respectfully submitted.

(Signed) WILLIAM T. LEACH,
(*Chairman.*)

12th November, 1868.

APPENDIX B.

DEBATE IN THE DIOCESAN SYNOD, JUNE 17, 1868. 3

(*Extracted from the Montreal Gazette.*)

METROPOLITAN SUCCESSION.

The Very Rev. the Dean brought up the Report of the Committee of this Synod appointed to confer with the Committee of the Provincial Synod on the question of the Succession to the Office of Metropolitan of this Province. The Committee report that they have attended a meeting of the Joint Committee, at which the subject

received mature consideration, and the following resolution was agreed to:—

Whereas, Her Majesty the Queen has been graciously pleased to appoint the City of Montreal to be the Metropolitan See of the Province of Canada, and the Bishop of Montreal to be the Metropolitan of said Province; and whereas, it has been generally considered inexpedient that the Metropolitan shou'd be elected by the Diocesan Synod of Montreal alone; and whereas, it has been decided by the Provincial Synod "that the Metropolitan See ought to be fixed in one city, and that the decision of Her Majesty the Queen in selecting Montreal as the Metropolitical See ought if possible to be maintained; and whereas, it is very undesirable and inconsistent with the constitution of our Synods that the Diocese of Montreal should have no voice in the election of its Bishops. Be it therefore commended as the most just and feasible method of reconciling the claims of the Provincial Synod to have the choice of the Metropolitan with the claims of the Synod of Montreal to elect its own Bishops, that in case of a vacancy in the Diocese of Montreal the house of Bishops shall present one person to the Synod of Montreal, and that the person so nominated shall be subject to the approval or rejection of the Synod of the Diocese of Montreal, and in case of rejection another to be so nominated by the house of Bishops, and so on until a Bishop be chosen.

Rev. Wm. Anderson moved, seconded by Rev. J. C. Davidson, that the report be received and adopted.

Rev. Dr. Leach expressed his gratification at the satisfactory conclusion arrived at by the Committee. One part he thought should be omitted, the words "as being the best means of reconciling the claims of the Provincial Synod." The claims of the Provincial Synod were either valid or invalid. If valid they would have to be granted, and if invalid they were not worthy of further attention.

Rev. Canon Bancroft moved in amendment, seconded by the Rev. Mr. Bond, to strike out the words "House of Bishops" whenever it occurs in the last clause of the report, and substitute the words "Provincial Synod" therefor.

Dr. Bancroft, in making the motion, thought the report as at present drawn up would exclude the Diocese of Montreal from any voice in the nomination of a candidate for the office of Metropolitan. The Diocese had only the privilege of *veto*, or of rejecting the candidate offered by the Provincial Synod, which privilege he thought would never be exercised. In case of a vacancy in the Metropolitan See of Montreal, which he hoped not to occur in his life-time, his voice would be given for the election of one of the four Bishops of the Province. He could see that the Bishops would feel a delicacy in sug-

gesting one of themselves for the succession. He thought that the Laity should have a voice in this matter, as they had in all the other matters of the Church, and he thought a fundamental principle would be violated in not granting them a voice in the matter. He hoped the Synod would not nullify a principle so long established and so successful in its operation.

Rev. Mr. Bond, in seconding the amendment of Dr. Bancroft, said the Diocese of Montreal would certainly have no voice in the election of their Bishop, according to the present construction of the report. He also thought the Bishops would feel a delicacy in recommending one of themselves for the succession. (Hear, hear.)

The Metropolitan said there should be no delicacy in the matter; he would with a great deal of pleasure recommend a brother who was sure to ably administer his diocese. He could see no reason why three of the Bishops could not ask the fourth to accept the office of Metropolitan. (Hear, hear.)

Rev. Mr. Bond continued—He was not a Bishop yet, and could not say how he should act under the circumstances. He would say no more on that phase of the subject, as the weight of his Lordship's remarks would be against him. He thought the people should have a voice in the matter. (Hear, hear.) To avoid such discussions as some seemed to anticipate, he would suggest that the voting be conducted in silence.

The Very Rev. the Dean moved in amendment to Dr. Bancroft's amendment, seconded by Mr. Hutton, to strike out the last clause and substitute the following therefor: —

That the House of Bishops shall present two or more persons to the Synod of Montreal, one of whom may be elected by such Synod as the Bishop of Montreal; and in case no election shall take place of either the persons so nominated, the house of Bishops shall again exercise the same right of nomination until a choice shall be made by the Diocesan Synod.

His reasons for making the amendment were that according to the plan of the report there might result no election, and the Diocese would be without a Bishop for an indefinite period. The Diocese having only the right to vote they might object for years, as was the case in Baltimore when a vote of two-thirds of the Synod was required to elect. For ten years it was impossible to elect a Bishop. He suggested that they "shall" elect one or other of the two.

(The amendment as given above is presented in a modified form.)

The Hon. Mr. Justice McCord said the question of leaving the nomination in the hands of the Bishops was discussed in Committee for three hours, and was finally agreed to by a vote of 10 for and 6 against. He was about to move an amendment, but two amendments

to an amendment not being admissible, his suggestion was embodied in the amendment of the Very Rev. the Dean.

Mr. Carter said the object of the report was to reconcile the conflicting interests of the rights of the Diocese by letters patent to have the Metropolitical See established here with claims of the Provincial Synod. The Diocese of Montreal, if the amendment (as originally purposed) of the Dean is adopted, will simply delegate to the Provincial Synod the right of electing its own Bishop, a right which is exercised by every diocese. The right of election was one which could not be delegated.

Hon. Justice McCord said if the word "shall" is left in the report, the Diocese gave up the right and power to elect.

Mr. Chamberlin said there was a misconception in the minds of the members of the Synod in relation to the anticipated difficulty in electing the Metropolitan. The house of Bishops and the Diocesan Synod would be in session at the same time and in the same place when the names of the persons nominated by the Bishops could at once be laid before the Diocesan Synod, and the election could be continued from day to day. He concurred in Mr. Carter's views of the matter, that limitation imposed on the Diocese of Montreal was subversive of the right to elect their own Bishop.

The vote of the Synod was taken on the Dean's amendment, as modified, and it was adopted.

The Rev. Dr. Bancroft's amendments to substitute "the Provinvincial Synod" for the House of Bishops, was considered.

Mr. Carter said the voice of the laity in the nomination which Dr. Bancroft desired to retain was of no importance to any laity except those of this Diocese, and they still had the privilege of exercising their right of electing their Bishop, let the nominations come from what quarter they might. The nominations should be made by the highest dignities in the Church, as they are conversant with the affairs of the Province.

Dr. Bancroft still adhered to his opinion on the subject, and to the principle of permitting the laity to have a voice in this as in all other matters.

The amendment of Dr. Bancroft was lost.

The report was then adopted as amended.

The Synod then rose until two o'clock.

(*From the Synod Report.*)

On its reassembling, it was moved by the Dean of Montreal, seconded by Archdeacon Scott, and carried, that the following

resolution be added to the canon for the election of Bishops in this diocese:—

"And no other person shall be put in nomination for the office of Bishop except such as shall be nominated by the House of Bishops; provided a resolution respecting the election of Bishop of the Diocese, passed at a meeting of the Synod on Wednesday, June 17, 1863, be adopted by the Provincial Synod, respecting the election of future Bishops of Montreal, such Bishops continuing to fill permanently the office of Metropolitan."

June 18, 1863.

CANON ON ELECTION OF BISHOP.

E. Carter, Esq., then claimed the indulgence of the Synod to be permitted to move at once the adoption of a Canon on the election of a Bishop for the Diocese, which was necessary to carry into effect the resolution of the previous day in that behalf. Leave having been granted, Mr. Carter moved, seconded by Hon. Judge McCord, the following Canon, which was adopted:—

"This Synod having adopted the Report of the Committee appointed to confer with the Committee of the Provincial Synod, appointed to devise some measure in consultation with the Diocesan Synod of Montreal for the solution of the difficulties in the way of the election of a Metropolitan, as amended by this Synod, and by which it is declared, 'That the House of Bishops shall present two or more persons to the Synod of Montreal, one of whom may be elected as the Bishop of Montreal; and in case no election shall take place from the names so nominated, the House of Bishops shall again exercise the same right of nomination until a choice shall be made by the Synod:'— It is hereby enacted, to give effect to the said Report and to render the same binding on this Synod:

1. "That upon a vacancy occurring, no election shall be made by this Synod of a Bishop, until the House of Bishops shall have placed in nomination before it the names of two or more persons, so that the election of such Bishop shall be made of one of such persons recommended by one or more nominations to be made by the House of Bishops, according to the true intent and meaning of such Report.

2. "That this Canon shall become operative and have full force and effect upon the sanction in writing given thereto by his Lordship the Bishop of Montreal, or in the event of his death or absence by the Dean of Montreal, as representing this Synod.

3. "That such sanction shall be given to this Canon to render the same operative, in the event of the Provincial Synod adopting the terms of the said Report as amended, respecting the mode of election to be exercised by this Synod to fill up such vacancy."

The Canon was adopted.

APPENDIX C.

(Extracts from the Constitution of the Diocesan Synod.)

CONSTITUTION.

1. The Synod shall consist of the Bishop of the Diocese, of the Clergy of the same, licensed to the cure of souls therein, or holding office in any church, college or school under the jurisdiction of the Bishop (such Clergy not being under ecclesiastical censure), and of Lay representatives, to be elected as hereinafter provided.

8. The Synod shall meet on the third Tuesday of June in every year, in the City of Montreal, or at any other such time or place as said Synod shall appoint at its last previous meeting; provided also, that the Bishop may call a special meeting when he shall consider it necessary to do so ; or shall do so on the requisition of ten clerical and thirty Lay members ; and at such special meeting no other business shall be transacted than that stated in calling the meeting.

9. When the bishop is not present, his Commissary shall preside in his place ; and when the See is vacant, the senior Dignitary of the Church, next in rank to the Bishop, in the Diocese, shall, within a fortnight of the occurrence of such vacancy, summon a Synod, to be held in not less than thirty days, to elect a successor to the See, at which he will preside, and at such meeting no business except such election shall be proceeded with.

14. No rule shall be binding on the members of the Church in this Diocese at large, which has not received the concurrent assent of the Bishop, the Clergy, and the Laity, and which has not been passed in the Synod.

15. Any proposition for an alteration of the Constitution, Regulations, Rules of Order, or Canons, shall be introduced in writing, and considered at the meeting at which it is introduced ; and if approved by a majority of each order, shall lie over till the next meeting of the Synod, but shall not be finally adopted unless approved by majorities consisting of two-thirds of both Clergy and Laity then present.

ELECTION OF BISHOP.

1. The House of Bishops shall present two or more persons to the Synod of Montreal, one of whom may be elected as the Bishop

of Montreal; and in case no election shall take place from the names so nominated, the House of Bishops shall again exercise the same right of nomination until a choice shall be made by the Synod: and no other persons shall be put in nomination for the office of Bishop except such as shall be nominated by the House of Bishops; provided a Resolution respecting the election of Bishops of the Diocese, passed at the meeting of the Synod on Wednesday, June 17th, 1863, be adopted by the Provincial Synod, respecting the election of future Bishops of Montreal, such Bishops continuing to fill permanently the office of Metropolitan.

2. In such election by said Synod of Montreal, the Clergy and Laity shall vote separately by ballot—the Clergy by individuals, and Laity by parishes or cures. A majority of votes in each order shall determine the choice, provided that two-thirds of the Clergy entitled to vote are present, and two-thirds of all the parishes or cures entitled to be represented; otherwise two-thirds of the votes of each order shall be necessary to determine the choice.

APPENDIX D.

(*Extracted from the Report of the Fourth Provincial Synod, September* 18*th*, 1868.)

Moved by Dean Hellmuth, seconded by Archdeacon Patton,

That the Rules of Order be suspended to enable a resolution confirming the Canon for the nomination and election of a Bishop of Montreal and Metropolitan, to be put.—*Carried.*

Moved by the Very Rev. the Dean of Montreal, seconded by Mr. Strachan Bethune,

That the Canon, for the nomination and election of a Bishop of Montreal and Metropolitan, passed at the last meeting of the Synod, be now confirmed.—*Carried.*

Moved by the Hon. John Hillyard Cameron, seconded by Mr. Strachan Bethune,

That the House of Bishops be requested to concur in the Resolution just passed, that the Canon for the nomination and election of a Bishop of Montreal and Metropolitan, passed at the last meeting of this Synod, be now confirmed.—*Carried.*

CANON I.

FOR THE NOMINATION AND ELECTION OF A BISHOP OF MONTREAL AND METROPOLITAN.

1. Whenever the See of Montreal becomes vacant, it shall be

the duty of the Very Rev. the Dean of Montreal, or in case of his death or absence from the Province, of the Senior Archdeacon of the Diocese of Montreal to notify the fact of such vacancy immediately to the Senior Bishop of the Church in Canada, who shall thereupon at once summon a special meeting of the House of Bishops to be held in Montreal two months from the date of said notice, for the purpose of nominating two or more persons to be presented to the Diocesan Synod of Montreal, for the choice of one of them as the Bishop of the Diocese of Montreal.

2. That the House of Bishops at said special meeting shall nominate at least two persons to be presented to the Diocesan Synod of Montreal, in order that such Diocesan Synod may choose one of such persons to be Bishop of the said Diocese, and the House of Bishops shall continue such nominations until the Diocesan Synod of Montreal shall make choice of one of such persons as Bishop of Montreal.

3. That in the event of the Diocesan Synod of Montreal rejecting the canon for the election of a Bishop, which gives the nomination of the Bishop to the House of Bishops ; then and in such case, on the occurrence of a vacancy in the See of Montreal, the Bishop of Montreal for the time being shall not, as Bishop of Montreal, be the Metropolitan Bishop, but the election of a Metropolitan Bishop shall in such case be vested in the House of Bishops, who shall and may proceed to such election at such time and place within this Province as the Senior Bishop of the Church in Canada may determine, but within three months after such vacancy has taken place, and on one month's notice given by him to the other Bishops of the House of Bishops; and each Bishop so elected Metropolitan shall have all the power, privileges, and authorities conferred by the Canons of this Synod upon a Metropolitan Bishop.